IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

WP(C).No. 18352 of 2007(R)

PETITIONER:

SHAMEER K.M., AGED 28 YEARS,
S/O. KUNCHIMOHAMMED K.M.,KOZHIMANNIL HOUSE,
BANGLOW ROAD, CHANDAKUNNU P.O., NILAMBUR,
PIN-679 342. (NOW PRACTISING AS AN ADVOCATE IN
MANJERI BAR, MALAPPURAM DISTRICT).

BY ADV. SRI.SHAMEER.K.M.(PARTY-IN-PERSON)

RESPONDENTS:

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1. THE REGISTRAR GENERAL,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE SECRETARY,
MUNSIFF-MAGISTRATES RECRUITMENT COMMITTEE,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.KRB.KAIMAL (SR.)
SRI.B.UNNIKRISHNA KAIMAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO.18352 OF 2007 - R

Dated this the 15th day of June, 2007

J U D G M E N T

The petitioner is an aspirant for selection for appointment as Munsiff-Magistrate in the Kerala Judicial Service. He submitted his application which was rejected by Ext.P2 communication on the ground that the application is not signed by the petitioner. The petitioner challenges Ext.P2 communication. According to the petitioner, the defect mentioned in Ext.P2 is a curable defect and therefore, he should be permitted to cure the same and sit for written test which is slated to be conducted on 17.6.2007. The petitioner also submits that the respondents themselves had issued a press notice to the effect that if anybody has failed to receive the hall ticket, they may approach the respondents for the same, which would show that the defect mentioned in Ext.P2 is a curable defect.

2. The learned counsel for the respondent submits that the defect for which the petitioner's

application has been rejected is not a curable defect. He would also submit that the press notice issued is not intended to invite attention of candidates who had submitted defective application, but only to those who have submitted valid applications and failed to receive the hall tickets.

3. I have considered the rival contentions in detail. I am satisfied that the unsigned application cannot be considered as a valid application and I do not think, it is a curable defect also. I am perfectly in agreement with the contentions of counsel for the respondents that the press notice issued is for the purpose of enabling the applicants who have submitted valid applications to get their hall tickets if they failed to receive the same. In the above circumstances, I do not find any merit in the writ petition and the same is dismissed.

Sd/-

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007